

H.B.

PATENT
Attorney Docket No. 04189.0079-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
HAUPTMAN et al.)
Serial No.: 08/383,676) Group Art Unit: 1812
Filed: February 1, 1995) Examiner: K. Carlson
For: TNF RECEPTORS, TNF BINDING)
PROTEINS AND DNA'S ENCODING)
THEM)
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

TRANSMITTAL LETTER

Enclosed is a response to the Office Action mailed May 24, 1995. The items checked below are appropriate:

1. Applicants hereby petition for a three month extension of time to respond to the above Office Action. The fee of \$900.00 for the Extension is enclosed.
2. A fee of \$_____ to cover the cost of the additional claims added by this response is enclosed.
3. A check for \$900.00 to cover the above fees is enclosed.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 06-916. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Date November 22, 1995By: *M. Paul Barker*
M. Paul Barker
Reg. No. 32,013

Finnegan, Henderson, Farabow,
Garrett & Dunner
1300 I Street, N.W.
Washington, D.C. 20005-3315
(202) 408-4000

OFFICIALFAX CENTER
RECEIVEDFINNEGAN, HENDERSON, PARABOW, GARRETT & DUNNER, L.L.P.
1300 I Street, N.W.
Washington, D.C. 20005-3315
(202) 408-4000

FEB 16 1996

Telex
RCA 248740 FHFGDGROUP 1800
Facsimile
(202) 408-4400

FACSIMILE TRANSMITTAL

H24
JPM

Subject: 04189.0079-03000 Date: February 15, 1996
TO U.S. Serial No. 08/383,676 FROM
Name: Examiner K. Carlson Name: M. Paul Barker
Firm: U.S.P.T.O. No. of Pages (Incl. this page) 16
Fax No.: (703) 308-0294 Attorney Approval MPB/ JPM

Message:

Enclosures:

LETTER AND CHANGE OF ADDRESS
COPY NOTICE OF ABANDONMENT
COPY RECEIPT-STAMPED POST-CARD (22NOV95)
COPY PETITION FOR EXTENSION OF TIME FILED 22NOV95
COPY OF RESPONSE FILED 22NOV95
COPY OF ASSOCIATE POWER OF ATTORNEY
COPY OF RECEIPT-STAMPED POST-CARD (25AUG95)

This facsimile is intended only for the individual to whom it is addressed and may contain information that is privileged, confidential or exempt from disclosure under applicable law. If you have received this facsimile in error, please notify us immediately by telephone (collect), and return the original message to us at the above address.

PATENT
Attorney Docket No. 04189.0079-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
HAUPTMAN et al.)
Serial No.: 08/383,676) Group Art Unit: 1814
Filed: February 1, 1995) Examiner: K. Carlson
For: TNF RECEPTORS, TNF BINDING)
PROTEINS AND DNA'S ENCODING)
FOR THEM)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

LETTER AND CHANGE OF ADDRESS

The office of the undersigned received the enclosed Notice of Abandonment mailed January 24, 1996. For the following reasons, this Notice was mailed in error. Accordingly, applicants request that the U.S. Patent and Trademark withdraw the Notice and indicate on the record that the application was not abandoned.

Applicants enclose a copy of the receipt-stamped post-card that indicates receipt of the Petition for Extension of Time (three months), \$900.00 check, and the Response, which were filed timely on November 22, 1995 (copies of those documents are also enclosed). (The due date for the statutory six month period for response was November 24, 1995.) Since applicants timely filed the Petition for Extension of Time, \$900.00 check, and Response, the case should not have been abandoned.

Accordingly, the Notice of Abandonment is erroneous. The undersigned respectfully requests that the Examiner call the undersigned if any additional information is needed to resolve this matter.

Also, the Associate Power of Attorney filed August 25, 1995, (copy enclosed with receipt-stamped post-card) directed the U.S. P.T.O. to mail future correspondence to:

M. Paul Barker
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
1300 I Street, N.W.
Washington, D.C. 20005-3315

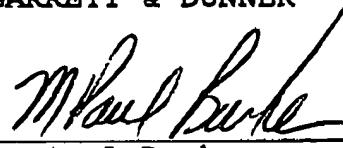
The erroneous Notice of Abandonment was sent to Sterne, Kessler, Goldstein & Fox. The undersigned respectfully requests that all future correspondence be sent to Finnegan, Henderson et al. at the above-noted address.

The Commissioner is hereby authorized to charge any additional fees (or credit any overpayment) associated with this communication to our Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and should also be charged to our Deposit Account.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER

By:


M. Paul Barker
Reg. No. 32,013

Dated: February 15, 1996

CERTIFICATE OF TRANSMISSION

I hereby certify that this LETTER and enclosures including copies of the Notice of Abandonment, the receipt-stamped post-card (22NOV95), the previously submitted (22NOV95) Petition for Extension of Time and the Response, the Associate Power of Attorney and the receipt-stamped post-card (25AUG95) is being facsimile transmitted to the Patent and Trademark Office on February 15, 1996.


UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

 Address: COMMISSIONER OF PATENTS AND TRADEMARKS
 Washington, D.C. 20231
5161MPB
04189-0079-03

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
68/383,676	02/01/95	HALPTMANN	R 1512.0010003

 18M2/01247
 STERNE KESSLER GOLDSTEIN & FOX
 1100 NEW YORK AVENUE, N.W., SUITE 600
 WASHINGTON, DC 20005-3934

CARLSON, R.	
EXAMINER	
ART UNIT	PAPER NUMBER
1814	21

DATE MAILED: 01/24/96

NOTICE OF ABANDONMENT

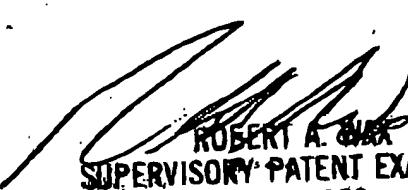
This application is abandoned in view of:

1. Applicant's failure to respond to the Office letter, mailed 5-24-95 #20.
2. Applicant's letter of express abandonment which is in compliance with 37 C.F.R. 1.138.
3. Applicant's failure to timely file the response received _____ within the period set in the Office letter.
4. Applicant's failure to pay the required issue fee within the statutory period of 3 months from the mailing date of _____ of the Notice of Allowance.
 - The issue fee was received on _____
 - The issue fee has not been received in Allowed Files Branch as of _____

In accordance with 35 U.S.C. 151, and under the provisions of 37 C.F.R. 1.316(b), applicant(s) may petition the Commissioner to accept the delayed payment of the issue fee if the delay in payment was unavoidable. The petition must be accompanied by the issue fee, unless it has been previously submitted, in the amount specified by 37 C.F.R. 1.17(l), and a verified showing as to the causes of the delay.

If applicant(s) never received the Notice of Allowance, a petition for a new Notice of Allowance and withdrawal of the holding of abandonment may be appropriate in view of Delgar Inc. v. Schuyler, 172 U.S.P.Q. 513.

5. Applicant's failure to timely correct the drawings and/or submit new or substitute formal drawings by _____ as required in the last Office action.
 - The corrected and/or substitute drawings were received on _____
6. The reason(s) below.



ROBERT A. GIAIR
 SUPERVISORY PATENT EXAMINER
 GROUP 180

PETITION DUE 3/24/96

 DLT/DP
 1/31/96
 944

SHG/u-PB

1125/5

5845

PLEASE STAMP TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING:
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application Of:

HAUPTMANN, et al.

Serial No. 08/383,676 } Group Art Unit: 1812

Filed: February 1, 1995 Inventor Art Unit: 1812
Examiner: K. Carlson

For: TNF RECEPTORS. TNF BINDING

THE MEDIATORS, THE BINDING PROTEINS AND DNA'S ENCODING)

Enclosed: 1. RESPONSE;
2. PETITION FOR A THREE MONTH EXTENSION OF TIME/ w/ CHECK \$900.00 (Extension Fee); and
3. CHECK \$900.00.



Dated: November 22, 1995

Docket No. 04189.0079.03 DUE DATE: November 24, 1995

MPB/1bs MD#852

RECEIVED NOV 2 2005

Slates 5/22/26

5
Or 10
11/14/12
1/14/12